

IN THE COURT OF APPEALS  
STATE OF ARIZONA  
DIVISION TWO

FILED BY CLERK

FEB 27 2008

COURT OF APPEALS  
DIVISION TWO

THE STATE OF ARIZONA,

Appellee,

v.

RICHARD CORRALES RIVERA,

Appellant.

)  
)  
) 2 CA-CR 2007-0101  
) DEPARTMENT B  
)

MEMORANDUM DECISION

) Not for Publication  
) Rule 111, Rules of  
) the Supreme Court  
)  
)  
)

APPEAL FROM THE SUPERIOR COURT OF PIMA COUNTY

Cause No. CR-20053818

Honorable Hector E. Campoy, Judge

AFFIRMED

Barton & Storts, P.C.  
By Brick P. Storts, III

Tucson  
Attorneys for Appellant

E C K E R S T R O M, Presiding Judge.

¶1 A jury found appellant Richard Corrales Rivera guilty of aggravated driving under the influence of an intoxicant while his driver's license was suspended, revoked, or restricted and aggravated driving with a blood alcohol concentration of .08 or more while his license was suspended, revoked, or restricted. The trial court sentenced Rivera to

concurrent, “partially substantially” mitigated prison terms of seven years on each count. Counsel has filed a brief in compliance with *Anders v. California*, 386 U.S. 738 (1967), and *State v. Clark*, 196 Ariz. 530, 2 P.3d 89 (App. 1999), stating he has diligently reviewed the record without finding an arguable issue to raise on appeal. Rivera has not filed a supplemental brief.

¶2 Counsel has asked us to search the record for fundamental error. We have done so and have found none. There was sufficient evidence to support the jury’s findings of guilt. In addition, in exchange for the state’s dismissal of other allegations of prior convictions and commission of the instant offense while he was on release, Rivera stipulated that he had two prior felony convictions with the understanding that his sentence would not exceed ten years. Based on his stipulation and the record before us, we see no error, much less fundamental error. Therefore, we affirm Rivera’s convictions and sentences.

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PETER J. ECKERSTROM, Presiding Judge

CONCURRING:

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PHILIP G. ESPINOSA, Judge

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GARYE L. VÁSQUEZ, Judge